

The Gazette of India



EXTRAORDINARY

PART I—Section 1

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MINISTRY OF COMMERCE AND INDUSTRY

PUBLIC NOTICE

IMPORT TRADE CONTROL

New Delhi, the 29th May 1952

SUBJECT.—Procedure for the grant of licences to importers during July—December 1952.

No. 55 ITC(PN)/52.—The general basis for the grant of import licences during July—December 1952 to different classes of importers will be the same as it was in the January—June 1952 period subject to certain modifications which are published below for general information.

ESTABLISHED IMPORTERS

2. The basic period for the grant of quota licences to established importers will remain the same as in January—June 1952 except that imports made in 1951-52 may also be counted as basic year imports.

3. Firms who propose to claim quotas on the basis of 1951-52 imports should apply to the Import Trade Controller concerned along with the necessary documents for the grant of a quota certificate by 30th June 1952 at the latest. If the documents have already been submitted in any other connection and have not yet been received back, a reference to the previous correspondence should be made when applying for the quota certificate.

4. It will not be necessary for established importers to produce evidence of a second year's import in terms of Public Notice No. 109-ITC(PN)/51 of the 23rd June 1951 when they claim an import licence on the basis of licences already granted in January—June 1952 or on the basis of valid quota certificates previously granted. Evidence to establish the fact that the firm has imported the item in question in at least two financial years between 1st April 1946 and 30th June 1952 will be required if it is claiming quotas for the first time or claiming a revision of its existing quota certificate. Such evidence where required may take the shape of only one bill of entry or other acceptable documents for each financial year, and it may relate to imports made from any currency area and not necessarily the one for which a licence is claimed.

PRE-WAR IMPORTS

5. Opportunity was given in January—June 1952 to importers of goods from countries with which was interrupted during the last war to claim quotas based on pre-war imports from those countries. Claims already made under this scheme, which was originally announced in Public Notice No. 109-ITC(PN)/51 of the 23rd June 1951 will be fully examined, and, where the claim is accepted, quota certificates will be given if they have not already been granted. It has, however, been decided that new claims on the ground of imports made before the war will not be entertained hereafter, unless the item in question is one for which there was no quota during January—June 1952.

6. Documents which established importers have to produce in support of their past imports will be as prescribed in the Hand Book of Rules and Procedure 1952 subject to the modifications indicated above except that (a) in respect of Miscellaneous hardware falling under Serial No. 275 of Part IV of the Import Trade Control Schedule it will be sufficient for the firm to quote the registration number allotted to it under the quota registration scheme, and it will not be required to resubmit any documents relating to its past imports; and (b) in respect of items to which the quota registration scheme was extended in Public Notice No. 45-ITC(PN)/52 dated 26th April, 1952, no application for a licence for such items should be made until the Joint Chief Controller of Imports, Calcutta intimates the quota registration number.

7. In the case of imports at the port of Calcutta in place of the Bills of Entry, Customs Duty Receipts with invoices signed by the Customs authorities and Bank drafts or Bank exchange Memo. can be produced.

8. The basis on which quotas for granting general and soft currency licences will be calculated will be the same as in January—June 1952, except that in the case of items for which the soft currency quota is higher the importer may in lieu of the General licence take a Soft Currency licence calculated at the higher rate. Firms wishing to take advantage of this option must choose the same basic year for their Dollar and Soft Currency imports, and further they must submit their applications based on both Dollar and Soft Currency imports on the same date and in the same cover.

9. Licences to established importers will not be given if the value of the licence to which they are entitled according to the quota percentage fixed for licensing is below a certain minimum as indicated in the table below:—

Quota percentage of the articles as given in the Public Notice	The limit up to which no quota licences will be granted if quota when calculated is less than	Minimum value of licence
1. Over 20%	Rs. 500/-	Minimum value licence for Rs. 1000/- will be granted (if quota found admissible lies between Rs. 500/- and Rs. 1000/-).
2. 20% or less	Rs. 250/-	Minimum value licence for Rs. 500/- (if quota found admissible lies between Rs. 250/- and Rs. 500/-).

Items to which the minimum value limits stated above will not apply will be indicated in the policy statement for the half year

ACTUAL USERS

10. Applications for items to be licensed to actual users will only be entertained if the factory or industrial undertaking for which the raw material is required engages a minimum of 50 workers.

11. Licences for raw materials and consumable stores shown as licensable to actual users will normally be granted to meet six months consumption. The licensing authority may make such reduction in this as he may think fit after taking into account the stocks already held by the applicant, the level of indigenous production and the quantum of imports allowed through ordinary trade channels. In the case of spare parts and other non-consumable stores, applications should be for meeting demands which are expected to arise over a period of six months.

12. Actual users will be permitted to make one consolidated application for licences covered by the same certificate from Director of Industries, etc. They will also be permitted to make more than one application for the same item provided each application is to meet a different need and is supported by an independent certificate from the Director of Industries, etc.

13. Actual users who do not wish to make one consolidated application for all the items constituting their certified requirements, may submit separate applications for one or more items, provided each application is supported by the prescribed certificate and a separate treasury challan for the requisite fee.

14. The attention of Actual users is particularly invited to the instructions contained in Chapter III of the Handbook of Rules & Procedure, 1952 which indicate the form and manner of application by factories engaged in certain specially assisted industries and who are borne on the list of the Development Wing, Ministry of Commerce and Industry, New Delhi.

SOLE AGENTS

15. Applications received during January—June 1952 from firms claiming licences as sole agents show a considerable misunderstanding as to the scope of the scheme and regarding the items which are considered to be sufficiently essential to warrant the grant of licences to sole agents. During July—December 1952 all items for which sole agents may apply as such will be clearly indicated in the Policy Statement and applications will not be entertained for items for which applications from sole agents have not been invited. Further, even for such items, no firm may apply both in the capacity of established importer and sole agent. If a firm chooses to apply as a sole agent, it should refrain from applying as an established importer and indicate this fact along with information regarding the side of its quota when applying as a sole agent.

INCOME TAX VERIFICATION

16. Importers should take steps from now to renew their income-tax registration or exemption numbers. Applications quoting registration or exemption numbers expiring in June 1952 or earlier will be liable to summary rejection.

17. Subject to the special points indicated above, importers should scrupulously comply with the general instructions given in the Hand Book of Rules and Procedure.

L. K. JHA, Joint Secy.

Copy to all concerned.

By order etc.

P. D. SRIVASTAVA, for Joint Secy.

